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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,341	11/14/2001	Hung-Liang Chiu	1007-018	4948

22898 7590 09/07/2004

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EXAMINER

MCALLISTER, STEVEN B

ART UNIT PAPER NUMBER

3627

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,341

Applicant(s)

CHIU ET AL.

Examiner

Steven B. McAllister

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is requested. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Specification

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Some examples (not intended to be exhaustive) are: "quality examined data"; "submitting a request for establishing quality examined data of an incoming material via a user" (cl. 1); "submitting a request for inquiring material incoming conditions" (cl. 1); "submitting a request for inquiring a quality condition of an incoming material"; "manufactory" while an English word is not one of common usage – "factory" is recommended; "allow the manufactory to realize a material supplying condition" (cls.

5,6); "displaying the corresponding table to a browser of the terminal device for display"
(cl. 8);

Claim 1 is further indefinite because it is unclear who the actors are in the method steps. For instance, "submitting a request", as understood by the examiner refers to the user, but "transmitting a data input table" is performed by the integration system.

Claim 8 is indefinite because it is not clear whether the "wherein ..." clause is part of the retrieving module element or whether it is intended to modify the entire claim.

While significant questions remain regarding the scope and meaning of the claims exist, the claims as best understood by the examiner are further examined below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Page et al (2001/0001864).

Page et al show an examination database; an analyzing module; a tabling module; and a retrieving module. It is noted that the apparatus of Page et al is capable of performing all elements of recited intended use.

As to claims 12 and 15, it is noted that Page et al show the internet.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz et al (2003/0033179).

Katz et al show submitting a request for establishing quality examined data of material and storing the submitted data (see e.g., 46 in Fig. 3A) including a code linking the data to a supplier; submitting a request for inquiring material incoming conditions of material suppliers wherein the database is searched according to supplier codes (e.g., par. 281, 282) and the results are displayed at the browser; submitting a request for inquiring a quality condition of an incoming material provided by a certain supplier wherein the database is searched by supplier identification and material (e.g., par. 281, 282, 96).

Katz et al do not explicitly show using a table to input and output data; or integrating the data in the particular form claimed. However, to do so is notoriously old

and well known in the art. It would have been obvious to one of ordinary skill in the art to modify the method of Katz et al by using a data input table and providing the particular integration of the output data in order to provide a simple means of providing inputs and to provide an encapsulated view of the output data.

As to claim 3, it is noted that Katz et al show an automatic alert upon receiving data show material of inferior quality.

As to claims 2 and 4, Katz et al show all elements of the claims except the particular data presented to the user. However, to present the data claimed is notoriously old and well known in the art. It would have been obvious to one of ordinary skill in the art to show such data in order to fully provide a full picture of the quality of the material.

As to claims 5 and 6, Katz et al show do not show that the quality data is determined over a period of time. Del Lo Motte et al show determining the data over time. It would have been obvious to one of ordinary skill in the art to further modify Katz et al by determining the data over time in order to allow buyers to determine trends.

As to claim 7, it is noted that the Katz et al show the internet.


Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. McAllister whose telephone number is (703) 308-7052. The examiner can normally be reached on M-Th 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P. Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Steven B. McAllister

STEVE B. MCALLISTER
PRIMARY EXAMINER